Simon v. Adzilla, Inc [New Media] et al Doc. 19

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FACEBOOK, INC. and MARK ZUCKERBERG

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC. and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU, INC. (formerly known as CONNECTU, LLC), CAMERON WINKLEVOSS, TYLER WINKLEVOSS, DIVYA NARENDRA, PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, WAYNE CHANG, and DAVID GUCWA AND DOES 1-25,

Defendants.

Case No. 5:07-CV-01389-RS

PLAINTIFFS' ADMINISTRATIVE REQUEST PURSUANT TO LOCAL CIVIL RULE 79-5(B) & (D) TO FILE UNDER SEAL EXHIBITS LL, MM, NN, OO AND PP TO THE SUPPLEMENTAL DECLARATION OF THERESA A. SUTTON IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS

Date: October 10, 2007
Time: 9:30 a.m.
Judge: Honorable Richard Seeborg

Dockets.Justia.com

Pursuant to Civil L.R. 7-11 and 79-5 (b), Facebook respectfully submits this administrative request asking the Court to file under seal Exhibits LL, MM, NN, OO, and PP to the Supplemental Declaration of Theresa A. Sutton filed in Support of Plaintiffs' Opposition to Defendants' Motion to Dismiss.

The parties entered into, and the California Superior Court issued, a Stipulated Protective Order on January 23, 2006, which prohibits either party from filing in the public record any documents that have been designated as "Confidential" or "Highly Confidential" pursuant to the Protective Order.

Exhibit LL to the Supplemental Declaration of Theresa A. Sutton filed in Support of Plaintiffs' Opposition to Defendants' Motion to Dismiss is a copy of Defendant Divya Narendra's deposition taken on January 16, 2007. It has been marked Confidential by ConnectU pursuant to the Protective Order entered in this matter, and hence is subject to Local Civil Rule 79-5(d).

Exhibit MM to the Supplemental Declaration of Theresa A. Sutton filed in Support of Plaintiffs' Opposition to Defendants' Motion to Dismiss is a copy of Defendant ConnectU, LLC's deposition taken on January 16, 2007. It has been marked Confidential by ConnectU pursuant to the Protective Order entered in this matter, and hence is subject to Local Civil Rule 79-5(d).

Exhibit NN to the Supplemental Declaration of Theresa A. Sutton filed in Support of Plaintiffs' Opposition to Defendants' Motion to Dismiss is a copy of Defendant Cameron Winklevoss' deposition taken on January 16, 2007. It has been marked Confidential by ConnectU pursuant to the Protective Order entered in this matter, and hence is subject to Local Civil Rule 79-5(d).

Exhibit OO to the Supplemental Declaration of Theresa A. Sutton filed in Support of Plaintiffs' Opposition to Defendants' Motion to Dismiss is a copy of Defendant Tyler Winklevoss' deposition taken on January 16, 2007. It has been marked Confidential by ConnectU pursuant to the Protective Order entered in this matter, and hence is subject to Local Civil Rule 79-5(d).

Exhibit PP to the Supplemental Declaration of Theresa A. Sutton filed in Support of Plaintiffs' Opposition to Defendants' Motion to Dismiss is a copy of Defendant Howard

Winklevoss' deposition taken on January 16, 2007. It has been marked Confidential by ConnectU pursuant to the Protective Order entered in this matter, and hence is subject to Local Civil Rule 79-5(d).

Dated: October 2, 2007

Orrick, Herrington & Sutcliffe LLP

/s/ Theresa A. Sutton /s/

Theresa A. Sutton
Attorneys for Plaintiffs
FACEBOOK, INC. AND MARK ZUCKERBERG

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on October 2, 2007.

Dated: October 2, 2007.

Respectfully submitted,

/s/ Theresa A. Sutton /s/
Theresa A. Sutton